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United States District Court

STATE AND

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MINNESOTA

DISTRICT OF

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UNITED STATES OF AMERICA

V.

JOSE RODRIGUEZ GOMEZ

CLERK OF DISTRICT COURT
CRIMINAL COMPLAINT

CASE NUMBER: 06-mj-322 AJB

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about September 2, 2006 in Rice county, in the State and District of Minnesota defendant(s) did, (Track Statutory Language of Offense) possess with intent to distribute approximately 400 grams of a mixture and substance containing a detectable amount of methamphetamine, a controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B)

in violation of Title 21 United States Code, Section(s) 841(a)(1) and 841(b)(1)(B).

I further state that I am a(n) Special Agent and that this complaint is based on the following facts:
Official Title

SEE ATTACHED AFFIDAVIT

Continued on the attached sheet and made a part hereof: ☒ Yes ☐ No

Sworn to before me, and subscribed in my presence,

September 5, 2006
Date

Arthur Boylan, U.S. Magistrate Judge

Name & Title of Judicial Officer

[Signature]
Signature of Complainant
Warren Adamson

DEA

Minneapolis, MN
City and State

[Signature]
Signature of Judicial Officer

SCANNED
SEP 07 2006
U.S. DISTRICT COURT

Your Affiant, Warren Adamson, having first been duly sworn and under oath, hereby states the following is true and correct to the best of his knowledge:

1. I am a Special Agent with the Drug Enforcement Administration (DEA) and have been so employed since January 2005. Prior to that time, I was employed as a Deputy with the U.S. Marshals Service. I am presently assigned to the DEA field office in Minneapolis, Minnesota. I am familiar with the facts of this investigation from having spoken with officers involved in the investigation, having reviewed their reports, and having personally participated in the investigation.

2. At approximately 3:16 a.m. on Saturday, September 2, 2006, a Minnesota State Trooper was patrolling Interstate 35 northbound near Faribault, Minnesota when he pulled over a Dodge Neon with Arizona license plates for failing to dim his headlights within 1,000 feet of oncoming traffic, as well as for excessively tinted windows. The driver, who was the sole occupant of the vehicle, was identified as defendant Jose RODRIGUEZ GOMEZ through an invalid Washington State driver's license. The trooper determined the driver's license was invalid by directing dispatch to run RODRIGUEZ GOMEZ's name, date of birth, and driver's license number through Washington State's Department of Motor Vehicles database and learning that no such driver's license was on file.

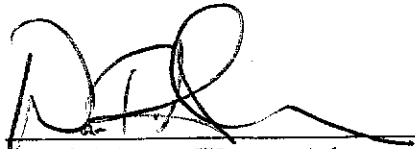
3. While the trooper was speaking with RODRIGUEZ GOMEZ, the trooper noticed a strong fabric softener-like scent emanating from the interior of the Dodge Neon, which in the trooper's training and experience was consistent with the attempt to conceal the distinctive chemical odor of methamphetamine during transport. The trooper also noted that the Dodge Neon was en route from a known methamphetamine source state, Arizona, and was not registered to RODRIGUEZ GOMEZ.

4. The trooper placed RODRIGUEZ GOMEZ under arrest for driving without a license. During a search of the Dodge Neon incident to arrest, the trooper ran his K-9 past the Dodge Neon. The K-9 positively alerted several times for the presence of narcotics in the Dodge Neon. The Dodge Neon was then towed to an impound lot in Faribault, Minnesota and further searched.

5. At the impound lot, the trooper's K-9 again positively alerted for the presence of narcotics near the Dodge Neon's dashboard. Officers recovered approximately one pound of methamphetamine from the dashboard area of the Dodge Neon where the K-9 alerted. The substance recovered was field-tested and tested positive for the presence of methamphetamine.

Further your affiant sayeth not.

Dated: September 5, 2006


Special Agent Warren Adamson
DEA

SUBSCRIBED and SWORN to before me
This 5th day of September, 2006.


ARTHUR J. BOYLAN
United States Magistrate Judge